



**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018



Matthew Rodriguez

Agency Secretary

Surcharge Guidance

August 3, 2017: CUPA Forum Board requests CalEPA to develop general guidance regarding assessment of Surcharges for:

- multi-jurisdictional operations
- facilities with multiple types of buildings- specifically a campus or school
- facilities or businesses with multiple EPA ID#'s and/or CERS IDs
- Department of Defense (DOD) and military facilities
- conditions of waiving fees

Guidance should be a consistent message across the state.

Action Item: CalEPA (John P.) to obtain developed language (Robert Duncan reference materials) from Marie Woodin to use as an example for drafting CalEPA guidance/FAQ.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	May 24, 2018	Marie Woodin
Action Item: Steering Committees (Hazardous Waste, CalARP, APSA and Hazardous Materials Business Plan) to research reporting requirements and laws for regulated facilities/businesses regarding the consistency in the definitions of “facility,” “location” and “contiguous” and how the definitions are applied. Whatever guidance is decided, it must not contradict local program fees and how they are assessed.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	May 24, 2018	Darwin Cheng, HW SC Jennifer Lorenzo, APSA SC Denise Gibson, CalARP SC Danielle Stefani, BP SC
Action Item: Steering Committees (Hazardous Waste, CalARP, APSA and Hazardous Materials Business Plan) to contact CalEPA (Fiona Humphrey) and provide findings, citations and steering committee interpretations of the regulations. Fiona will track research findings and compile information for CalEPA to report to UPAAG on what and how each surcharge should be applied (particularly the Oversight surcharge).		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	August 2018	Darwin Cheng, HW SC Jennifer Lorenzo, APSA SC Denise Gibson, CalARP SC Danielle Stefani, BP SC Fiona Humphrey, CalEPA

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

Action Item: CalEPA to develop general guidance regarding assessment of Surcharges for: <ul style="list-style-type: none"> • multi-jurisdictional operations • facilities with multiple types of buildings- specifically a campus or school • facilities or businesses with multiple EPA ID#'s and/or CERS IDs • Department of Defense (DOD) and military facilities • conditions of waiving fees Guidance should be a consistent message across the state.		
Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	CalEPA

Evaluation Surveys

All Evaluation Surveys submitted by CUPAs are reviewed by John Paine and Greg Vlasek.

Action Item: CalEPA to review, and revise as necessary, questions on Evaluation Survey to ensure objectives are addressed as intended and are relative to the PROCESS, not the PEOPLE. Include a statement on the Evaluation Survey to clarify and emphasize that CUPA responses have no impact on evaluation findings or performance ratings.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	Not established	CalEPA
Action Item: CalEPA to create follow up process for CalEPA Team Lead and/or CalEPA Program Manager to remind CUPA Manager to complete Evaluation Survey when it is not received upon closing the evaluation and issuing the final Summary of Findings.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	Not established	CalEPA
Action Item: CalEPA Program Manager to advise/instruct CalEPA Team Leads or CalEPA Executive Assistant to send Evaluation Survey to CUPA Manager with FINAL Summary of Findings, rather than in the middle of evaluation process. With request for submitting the Evaluation Survey, a statement should be made that honest feedback is encouraged and greatly appreciated.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	As soon as possible: by May 24, 2018	CalEPA (John P.)

CalEPA Complaint Tracking System (CTS)

DTSC Evaluation Staff need access to the CalEPA Complaint Tracking System so that they can download/access each complaint referred to each CUPA and the follow up actions associated with each complaint. Currently, DTSC Evaluation Staff (nor the "Nancy's") can access the CTS to see which complaint was referred where. Getting DTSC staff access to the CTS will eliminate the need for DTSC Evaluation Staff to request complaint referrals from the CUPA as part of the information requested for the evaluation, which will eliminate the unnecessary and duplicative workload for CUPAs.

Action Item: DTSC to work with CTS representatives to ensure access to the CTS is granted to the Nancy's and Evaluators.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
December 7, 2017	As soon as possible	DTSC (Maria Soria)

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

Emergency Response Tool- 24/7

CalOES is receptive to hosting and managing a tool to provide 24/7 access to ER data in CERS. Peek (product), Aristatec (company). The 24/7 availability is not for all facilities in the CA Unified Program - only for high risk facilities (RCRA, CalARP, Tiered permitting, certain categories of facilities - relative to CalOES).

Action Item: CalEPA (Greg V.) to continue to meet with CalOES to finalize plans for development of contract and support services for hosting 24/7 access to Tier 1 and Tier 2 information in CERS so that it can be provided to ERs.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	CalEPA (Greg V.), CalOES
Action Item: CalEPA (Greg V.) to identify funding options for the 3rd party contract for services.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	CalEPA (Greg V.)
Action Item: CalEPA (Greg V.), Bill J., Vince M., Emergency Response TAG involved in determining needs and developing scope of work for 3rd party contract for services. Once finalized, the contract will need to go out to bid for development of the tool.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	CalEPA (Greg V.), CalOES, Bill Jones, Vince Mendes, Emergency Response TAG

PA Evaluations

If a state agency is going to evaluate a PA, the CUPA should not also do an independent evaluation of the same PA. Also, PAs implementing the Unified Program in more than one CUPA jurisdiction are evaluated multiple times as a PA of the different CUPAs. However, a PA may have the same agreement(s) with each of its CUPAs, and therefore, will likely implement the Unified Program differently among each CUPA.

Action Item: CalEPA and Evaluation Workgroup to develop guidance for state agencies and CUPAs to prevent repetitive evaluation efforts for a PA.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	CalEPA (John P., Melinda B.), Evaluation Workgroup
Action Item: CalEPA and Evaluation Workgroup to work with CUPAs that have PAs to develop and schedule webinars that address how CUPAs can apply the same Unified Program evaluation process to PAs, including expectations, training, guidance and direction on CERS data review and analysis.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	CalEPA (John P., Melinda B.), Evaluation Workgroup, CUPAs with PAs

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

Evaluations

Review and revise.

Action Item: Assistant Secretary Greg Vlasek will be responding on behalf of Secretary Rodriquez to the letter from the CUPA Forum Board sent prior to the Annual Training Conference summarizing concerns of the evaluation process and development of resources.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
December 7, 2017	May 24, 2018	Greg V.
Action Item: Develop a Hybrid Evaluation Process and implement the new process starting 2019- consider how the evaluation process can be improved and how the process attributes to improving the performance of the CUPA. HYBRID Evaluation Process to incorporate face to face interactions among state agencies and CUPA staff, reduce the burden of CUPAs providing facility files, include the remote review of CERS data		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
December 7, 2017	August 2018	CalEPA, BDOs, Evaluation Workgroup
Action Item: Develop qualifiers (thresholds) for deficiencies and corrective actions. Is the CUPA meeting the needs for Unified Program implementation?		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
December 7, 2017	August 2018	CalEPA, BDOs, Evaluation Workgroup
Action Item: Develop a dispute resolution process for CUPAs and state agencies to follow when disagreement with final findings of the performance evaluation occur.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
December 7, 2017	August 2018	CalEPA, BDOs, Evaluation Workgroup
Action Item: Once Hybrid evaluation process, qualifiers and dispute resolution process are developed, CalEPA will review Evaluation Manual with Evaluation Workgroup to ensure it includes criteria used by state agencies to: <ul style="list-style-type: none"> decide what information to look at in CERS while conducting the evaluation, including the consolidated supplemental information request (which requires information not captured in the data dictionary), and determine if the supplemental information request can be sent to the CUPA 60 days prior to the evaluation. identify “factors” that qualify Return to Compliance and Program Deficiencies 		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	CalEPA (John P., Melinda B.), Evaluation Workgroup
Action Item:		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
December 7, 2017	August 2018	CalEPA, BDOs, Evaluation Workgroup

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

HMBP/Fire Code

Propose changes to Fire Code Appendix H and information required in HMMP/HMIS to parallel business plan requirements.

Action Item: Reactivate submissions to CA Fire Code. Proposals were to be submitted in Spring 2018, missed the deadline, need to prepare for upcoming submittal for 2019 (?)		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	Not established	Business Plan SC/TAG? APSA SC/TAG? Danielle Stefani

Annual Training Conference- 2019

CalEPA wishes to provide more participation in conference planning and content of training and tracks.

Action Item: CalEPA proposes to create new CERS classes and develop a Unified Program track with CUPAs and state agencies that have provided presentations in past conferences. New courses would include topics such as:		
<ul style="list-style-type: none"> • New CUPA Manager Bootcamp (CalEPA, BDOs) • How to Do a Self Audit (CalEPA, BDOs) • CERS 3- changes for 2019 and how they affect businesses and regulators • History of the Unified Program (Randy Sawyer to help develop) • Conducting a CUPA Performance Evaluation 		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	Not established	CalEPA

Strategic Plan

An ongoing effort- still developing and identifying proposed goals and objectives.

Action Item: Identified leads to provide John P. goal tasks and timelines for development by April 20, 2018.		
GOAL 1: Larry Lancaster, Greg V.	GOAL 5: Larry L, Larry Collins	
GOAL 2: Maria Soria, Randy S.	GOAL 6: Bill Jones, Paul Penn	
GOAL 3: Kristen R., John P.	GOAL 7: John P., Aaron LaBarre	
GOAL 4: John P., Aaron LaBarre	GOAL 8: Greg V., Vince M.	
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	April 20, 2018	Identified leads for each goal
Action Item: John P. to incorporate details from identified leads and submit REVISED draft of Strategic Plan to UPAAG members prior to the May 24 th meeting.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	As soon as possible, prior to May 24, 2018 UPAAG meeting	John P.
Action Item: Schedule a day just before May 24th UPAAG meeting in San Diego to finalize and review proposed goals and objectives of the 5-year plan.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	As soon as possible, prior to May 24, 2018	CUPA Forum Board (Larry L.) and CalEPA (Greg V.)

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

Action Item: Present revised (final) 2018 Strategic Plan and approve it at August 2018 UPAAG meeting.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	As soon as possible, prior to August 2018 UPAAG meeting	CUPA Forum Board (Larry L.) and CalEPA (Greg V.)

Unified Program Newsletter Articles

The following articles should be published in the monthly Unified Program Newsletter.

Action Item: Announce “External Partner Portal” functionality of Complaint Tracking System and revised “Findings Form”- CalEPA to obtain article text from Christie Vosburg		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Was this done?	Christie Vosburg (CTS), CalEPA (Jennifer R.)
Action Item: Program 4 regulations accepted by office of administrative law and will be effective October 1, 2017. CalEPA to obtain article text from Jack Harrah		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Was this done?	CalOES (Jack Harrah), CalEPA (Jennifer R.)
Action Item: Impacts on businesses and regulators regarding current development plan and activities of CERS 3, and what can be expected for implementation- how will the changes affect business and regulator CERS users?		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Was this done?	CalOES (Jack Harrah), CalEPA (Jennifer R.)

Steering Committee Charters and Members Lists

Each Steering Committee should have an established charter and list of members/representatives.

Action Item: CalEPA to identify which Steering Committees have not yet provided the charter and list of members. Once identified, CalEPA will request Chairs of each Steering Committee to provide the charter and list of members (including interested parties). Need to identify key members for when consensus is needed or for when action/motions are relied upon. No limit on interested parties or participants for any steering committee. Some charters and members lists have been received, but not all.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	May 24, 2018	CalEPA (Jennifer R.)

Training Steering Committee Action Items

Revision of Title 27, Section 15260 (Education, Experience)

Action Item: In order to better establish state representation, CalEPA to send out recruitment email to expand workgroup participants to include representatives of PAs, CUPAs, Fire Agencies, City and County CUPAs (have Kristen R. review first).		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	May 24, 2018	CalEPA (Melinda B.), Training Steering Committee

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

Action Item: Once additional workgroup members are identified and obtained, a meeting will be scheduled to begin revision of Title 27, section 15260, to revise and reorganize language for training and experience requirements of CUPA staff.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	Not established	Training Steering Committee (Melinda B., Kristen R.)

Data Steering Committee Action Items

Retention Policy

Not final yet, but will develop language for CUPAs

Action Item: Define Active/Inactive records and data in regards to CERS submittals and CERS inspection/enforcement data. Identify specific records and documents in CERS that apply to record retention. "CERS keeps 'this data' for 'this long'" - a chart will easily help explain once data to be purged is identified. Things to consider: i. Remote sites ii. Changing reporting requirements to "Not applicable" iii. One time submittals iv. Chemical Inventories v. Annual submittals vi. Need for previous data if business goes out of business from the site and site is inherited by a new owner after data from old owner is "purged" vii. Data purged on a daily, monthly, annual basis? Rolling dates, or specific dates?		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
?	Not established	CalEPA
Action Item: Inform CUPAs that a local retention policy and process regarding CERS data or local data management systems will also need to be developed if not already in place.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
?	Not established	CalEPA
Action Item: Determine impact on CUPAs, local & retention schedules, extra CUPA costs (data pull down over-rides existing data).		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
?	Not established	CalEPA
Action Item: Establish a schedule to implement CalEPA Retention Policy.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
?	Not established	CalEPA
Action Item: Provide outreach to CUPAs and communicate the plan regarding the change to ensure no data is lost between CERS and local data management systems.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
?	Not established	CalEPA

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

Establishing ADA Compliance Electronically

CERS Central and CalEPA Unified Program webpages need to comply with ADA requirements for readability.

Action Item: Vince M. will send ADA requirements link to CalEPA (John/Melinda) for guidelines.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 1, 2017	Not established	Vince M.
Action Item: CalEPA (John/Melinda) will ensure new CERS Central documents meet ADA requirements. CalEPA to talk to IT Manager (Manoj B.) and Information Officer (Sergio) to ensure ADA requirements are met and implemented for CERS Central, CERS, and Unified Program CalEPA website pages.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 1, 2017	Not established	CalEPA

CERS 3.0

Development and Implementation has begun. Anticipated release date is March 2019. All enhancements will be available in one update.

Action Item: Publish list of approved CERS 3 enhancements: send to DSC members, CUPA Forum Board representatives, Regional representatives, post on CalEPA website, post on CERS Central, generate CalEPA Newsletter article		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
December 2017?	May 24, 2018	CalEPA
Action Item: Perform a comprehensive assessment of CERS functionality.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
March 29, 2018	2019	CalEPA

Enforcement Steering Committee Action Items

Updating Enforcement Guidance Documents

Enforcement TAG to develop 3 workgroups to update guidance documents (Inspection/Enforcement, Violation Classification, AEOs).

Action Item: BDO reps will be needed to participate in review. CalEPA and BDOs still awaiting receipt of draft documents for comments and review. CalEPA and BDOs still awaiting receipt of draft documents for comments and review.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 2017	Not established	CalEPA, State Water Board (Amantha: Enforcement), CalOES, SFM, DTSC, Enforcement TAG

**UNIFIED PROGRAM
ADMINISTRATION AND ADVISORY GROUP**

ACTION ITEMS: March 29, 2018

UPRPI Proposal

Next RPI Proposal teleconference is 1/10/18.

Action Item: CalEPA (Greg V.) will address comments recently received on the whitepaper "UP Regulatory Performance Initiative."		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 2017	Not established	CalEPA (Greg V.), SFM, CalOES, DTSC, State Water Board
Action Item: Each BDO will develop some criteria for alternate inspection frequency.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 2017	Not established	CalEPA (Greg V.), SFM, CalOES, DTSC, State Water Board
Action Item: CalEPA is requesting CUPAs to provide goals/objectives for this proposal.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 2017	Not established	CalEPA (Greg V.), SFM, CalOES, DTSC, State Water Board
Action Item: Each CUPA can propose a couple of alternatives to be reviewed by BDOs to see if they approve.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 2017	Not established	CUPAs
Action Item: CFB to seek feedback from regional reps & present to CFB group through PPT.		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 2017	Not established	CUPA Forum Board

Hazardous Waste Steering Committee

DTSC Guidance Requested

Requesting resolution and guidance of treatment possibilities from DTSC.

Action Item: DTSC to develop guidance and/or FAQs for CUPAs on the following topics:		
<ul style="list-style-type: none"> • Regulating campus facilities • Unspent airbags: safety hazard to deploy, treat them as waste? • Shooting ranges (in regards to lead contamination)- need practical treatment of dirt • Hazardous Waste Counting- need HW TAG representative to demonstrate and explain what needs to be done and the impacts relative to public health. 		
UPAAG Meeting Date Originated:	Date to be Completed:	Assigned to:
August 3, 2017	Not established	DTSC